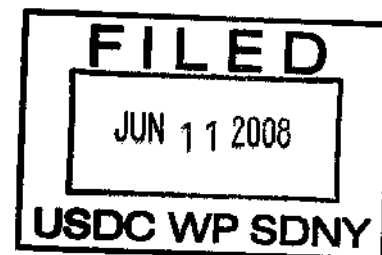


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



-----X  
THE ANNUITY, PENSION, WELFARE and APPRENTICESHIP  
SKILL IMPROVEMENT AND SAFETY FUNDS of the  
INTERNATIONAL UNION OF OPERATING ENGINEERS,  
LOCAL 137, 137A, 137B, 137C & 137R, AFL-CIO, by its  
TRUSTEES EDWARD KELLY, JEFFREY LOUGHLIN,  
PETER PATERNO, ROSS PEPE, NICHOLAS SIGNORELLI  
and NICHOLAS SIGNORELLI, JR., and JOHN and JANE DOE,  
as Beneficiaries of the ANNUITY, PENSION, WELFARE and  
APPRENTICESHIP SKILL IMPROVEMENT AND SAFETY  
FUNDS of the INTERNATIONAL UNION OF OPERATING  
ENGINEERS, LOCAL 137, 137A, 137B, 137C & 137R, AFL-CIO,

**FRCP 7.1  
STATEMENT**

08-CIV-

Plaintiffs,

**08 CIV. 5350**

-against-

**BRIEANT**

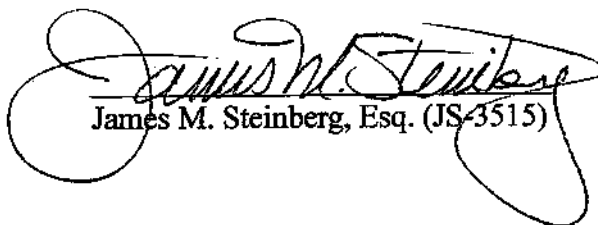
ACK MANAGEMENT CORP.,

Defendant.

-----X  
Pursuant to Federal Rule of Civil Procedure 7.1 (formerly Local General Rule 1.9) and to  
enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or  
recusal, the undersigned counsel for the ANNUITY, PENSION, WELFARE and  
APPRENTICESHIP SKILL IMPROVEMENT & SAFETY FUNDS of the INTERNATIONAL  
UNION OF OPERATING ENGINEERS LOCAL 137, 137A, 137B, 137C & 137R, AFL-CIO (a  
private non-governmental party) certifies that the following are corporate parents, affiliates  
and/or subsidiaries of said party which are publicly held:

NONE

Dated: June 10, 2008

  
James M. Steinberg, Esq. (JS-3515)